

## University Area Planning Overlay Administration

### 3372.500 - Incorporation.

Pursuant to C.C. 3372.01 the university planning overlay development standards, enacted by Ordinance No. 1216-87, are hereby incorporated into the Zoning Code to implement community directions, the council-approved plan for this special area, and modified to implement the University District Planning Study, report to city council, dated February 28, 1991.

(Ord. 2054-92.)

### 3372.501 - Purpose.

The university planning overlay superimposed development standards over those contained in the various zoning districts within a unique part of the city, the university commission area, to protect the quality of that area. Later deficiencies were identified and modifications offered in the study. This subchapter implements those standards, modifications and guidelines and facilitates understanding, compliance and enforcement of them to achieve the following purposes:

- A. Preserve, stabilize and improve neighborhoods throughout the university area.
- B. Encourage diversity of population as important to the preservation of the university area by providing housing opportunities for a variety of lifestyles and ownership patterns.
- C. Promote the use of original contributing buildings in the university impact district.
- D. Improve the physical appearance of the university area.
- E. Address the high density of the university impact district by development standards and guidelines to improve parking availability, refuse storage capacity, open space provisions, and compatibility of new construction with existing dwellings.
- F. Promote the unique cultural and architectural character of the university area for the enjoyment of residents and visitors alike.
- G. Protect public investment in the Ohio State University through higher development standards and guidelines in the university impact district.

(Ord. 2054-92.)

### 3372.502 - Definitions.

For the purpose of this subchapter the following definitions shall apply: definitions contained within this section; definitions contained in C.C. 3116.011 to 3116.019, inclusive, excepting only those exclusively applicable to architectural review commission areas or historic preservation listed properties; and definitions contained in Chapter 3303, C.C., and not in conflict with Chapter 3116, C.C. or this subchapter.

- A. "Average cornice/eave height" means the result obtained by adding the existing cornice or eave heights, as measured from the respective finished grade line, of each principal residentially zoned and used building on each of five contiguous lots on each side of the subject lot on the same side of the street (disregarding any intersecting right-of-way 60 feet or less) and having frontage on the same street; then dividing the sum by the number of buildings measured. For calculation purposes, the cornice/eave height for a mansard-type roof or other double-pitched roof shall be the point where the roof pitch changes.
- B. "Balcony" means a platform projecting from a wall of a building. A balcony has a railing or balustrade and is differentiated from a porch in that it is either cantilevered or supported by brackets and serves as a small, open outdoor space.
- C. "Calculated floor area" means the gross floor area of all spaces, including attics, basements, cellars and crawl spaces, with a floor to ceiling height of six feet or more. Spaces and areas not included are: (1) a space obstructed by structural members, such as roof trusses; (2) the basement of an original contributing building being substantially rehabilitated, unless such space is designed or intended to be inhabited; (3) an open, covered or enclosed exterior or interior stairway (a stairway includes steps, landings, and 12 square feet of floor area per floor), lift, or other means of access from one story to another; (4) a garage or accessory building; and (5) any nonenclosed space outside the exterior walls such as, but not limited to, a porch (including screened), terrace, balcony, walkway, or deck.
- D. "Certificate of approval" means a certificate issued by the review board to an applicant stating that the proposed construction, alteration or site improvement is appropriate under the terms of the interim development guidelines of this subchapter and subsequent adopted development guidelines.
- E. "Change of use" means an increase or decrease in the number of dwelling units in a building from the number of dwelling units of record.
- F. "Contributing building" means a building determined by the review board to exhibit the architectural elements and/or lot position common to the original neighborhood character of the area, arranged in relationships reflective of that character. Although typically found in buildings built before 1950, elements of this neighborhood character may be found in successive generation buildings built to the standards of this overlay. The university neighborhood is characterized by, but not limited to: solid square building mass, two and one-half story buildings with raised first floor, ground floor porch, facade present with porch subordinate, narrow vertical windows, predominately brick material, high roof pitch with dormers and chimneys, main entry from the street, and uniform setbacks.
- G. "Cornice/eave" means a projecting building element at the top of an exterior building wall or the under part of a sloping roof overhanging a wall.
- H. "Deck" means an open and nonroofed platform supported from the ground by piers or posts. A deck's flooring shall allow passage of air and water.
- I. "Dumpster" means a cubic yard container for storing refuse as approved by the director of public service.
- J. "Finished grade line" means a reference plane established by averaging the finished ground level elevation at ten-foot intervals along a line five feet from and parallel to that portion of the foundation wall of the building and any extension thereof that faces a public street.

- K. "Floor area ratio" means the proportion between the floor area of a building(s) and its lot area. Floor area ratio is calculated by dividing the total calculated floor area by the lot area. No portion of any right-of-way shall be considered as part of the lot area.
- L. "Impact district" means the university impact district as bounded in C.C. 3372.504.
- M. "Lot area" means that area of a lot as bounded by its lot lines.
- N. "Landscaped area" means that area required to be planted with grass and/or other live vegetation.
- O. "Noncontributing building" means a building determined by the review board to exhibit architectural elements and/or lot position uncharacteristic of the original neighborhood character, arranged in relationships that are not in harmony with that character. Although typically found in buildings built after 1950, in some instances pre-1950 buildings may have been radically altered to the point of non-contributing status. Examples of intrusive, incompatible elements found in the area include, but are not limited to: massive building; facades obliterated by decking, stairs, and multilevel porches; stairs located in the front setback; minimal or blank facade treatment; side entrances; imitation mansard-type roof or shallow-pitched roof; first floor level at or below grade; varying cornice height; varying setbacks; front-yard parking; suburban-type deck substituting as a front porch; exposed wood elements; and uncharacteristic building materials.
- P. "Porch" means a roofed projection from a building, separated from the rest of the building by its walls, and partially supported by foundation, piers, posts or columns. A porch serves as an open, well-defined area for use as an outdoor room and when required, has a railing or balustrade. A ground floor porch is accessed from either the building's interior or by steps from grade. A porch serving the second floor is accessed from either a building's interior or by stairs located behind the building line.
- Q. "Original contributing building" means a contributing building that is the first building to have been built on the originally-platted lot. Most original buildings were built prior to 1950.
- R. "Review board" means the university area review board.
- S. "Study" means University District Planning Study, report to city council, dated February 28, 1991.
- T. "Substantial rehabilitation" means a rehabilitation of a building which meets the following criteria: (1) documentation that the total construction cost, which consists of current project cost plus any cost attributable to rehabilitation of the building within two years prior to the current application, shall exceed 50 percent of the appraised value of that building, as determined from county tax records; and (2) determination shall be made that such efforts will considerably extend the utility of the building through repair, replacement, alteration or improvement which may include, but is not limited to: structural elements; mechanical, electrical, and plumbing systems; building elements (such as foundation, walls, roof, windows, or doors) and their components; and architectural elements and features (such as porches, dormers, chimneys, gutters or ornamentation).
- U. "Terrace" means a nonroofed outdoor platform serving as the roof of the structure below.
- V. "Total calculated floor area" means the combined calculated floor area of all buildings on a lot.
- W. "Walkway" means an exterior and open pedestrian circulation path either at grade or at any floor level. A walkway may be covered or uncovered, embraced by or extending from the building, and either is cantilevered, supported from the ground by piers or posts, or lies on the ground.

(Ord. 2054-92.)

### **3372.503 - University Area.**

The university area planning overlay applies to the university area, which means the university commission area as bounded in C.C. 3111.07.

(Ord. 2054-92; Ord. 1671-01 § 1.)

### **3372.504 - University Impact District.**

- (A) The University District Planning Study, Report to city council and the Plan for High Street support the need to implement appearance control within a specific portion of the University Area. This area is hereby designated as the University impact district, hereafter referred to as the impact district, and is bounded as follows:

Beginning at the centerline intersection of High Street and Arcadia Avenue; thence easterly along Arcadia Avenue approximately 257 feet; thence southerly to Dodridge Street and continuing along Pearl Street to Hudson Street; thence easterly to East Avenue; thence southerly to Kinnear Alley (the east/west alley between Hudson and Tompkins Streets); thence westerly to Pearl Street; thence southerly along Pearl Street and an imaginary extension thereof, to the east/west alley just south of Northwood Avenue;

Thence easterly along said alley crossing Indianola Avenue and continuing along Northwood Avenue to Fourth Street; thence northerly to Alden Avenue; thence easterly to the north/south alley just east of Fourth Street;

Thence southerly to Chittenden Avenue; thence westerly to Fourth Street; thence southerly to Ninth Avenue; thence westerly to Summit Street; thence southerly to Eighth Avenue; thence westerly to Indianola Avenue; thence southerly to Seventh Avenue; thence westerly to Courtland Avenue; thence southerly to Fifth Avenue;

Thence westerly to Wall Street; thence northerly to King Avenue;

Thence westerly to a point 255 feet west of Perry Street; thence northerly to an imaginary extension of Eighth Avenue; thence easterly along said extension and Eighth Avenue to the north/south alley just west of Neil Avenue; thence northerly to Ninth Avenue; thence easterly to Neil Avenue; thence northerly to Tenth Avenue; thence easterly to Highland Street; thence northerly to the east/west alley just south of Eleventh Avenue; thence easterly along said alley to Wall Street; thence northerly to Eleventh Avenue; thence easterly to High Street;

Thence northerly to Lane Avenue; thence westerly to Wall Street; thence northerly along Wall Street, and any imaginary connective extensions thereof, to Kinnear Alley; thence continuing northerly along the rear property line of parcels fronting High Street to a point 130 feet north of the centerline of North Street; thence easterly approximately 183 feet to the centerline of High Street; and thence northerly to the intersection of High Street and Arcadia Avenue, the place of beginning.

- (B) All parcels, or portions thereof, within the impact district are subject to the review and approval provisions herein, under regulations for the University impact district, and as administered by the University Area review board.

(Ord. 2054-92; Ord. 681-02 § 1.)

### 3372.505 - F.A.R. subarea.

An F.A.R. subarea is a specific area within an apartment-residential district that is regulated by a floor area ratio to ensure compatibility of development and an appropriate density based upon its proximity to the Ohio State University. F.A.R. subareas are:

**A.** F.A.R. subarea #1 is bounded as follows:

Beginning at the intersection of the north/south alley east of Indianola Avenue and the east/west alley south of East Eighteenth Avenue; thence easterly along said alley to the alley west of Summit Street; thence southerly along said alley to East Seventeenth Avenue; thence easterly along Seventeenth to Summit; thence northerly along Summit to Eighteenth; thence easterly along Eighteenth to the alley east of Summit; thence southerly along said alley to the alley south of Eighteenth; thence easterly along said alley to the alley west of North Fourth Street; thence northerly along said alley to Eighteenth; thence easterly along Eighteenth to the alley east of Fourth;

Thence southerly along said alley to its terminus at Chittenden Avenue;

Thence westerly along Chittenden to the alley west of Summit;

Thence northerly along said alley to North Fourteenth Avenue; thence easterly along Fourteenth to Summit; thence northerly along Summit a distance of 655 feet to the southern property line of a lot with parcel number 010-42246; thence westerly along the southern property line of lots on the south side of Sixteenth Avenue to Indianola; thence northerly along Indianola to Sixteenth; thence easterly along Sixteenth to the east property line of Lot 44 of Indianola Forest Addition subdivision; thence northerly along the east property line of Lots 44 and 50 of Indianola Forest Addition subdivision to Seventeenth; thence westerly along Seventeenth to the alley east of Indianola; thence northerly along said alley to the alley south of Eighteenth, the place of beginning.

**B.** F.A.R. subarea #2 is bounded as follows:

Beginning at the intersection of North Fourth Street and Alden Avenue; thence easterly along Alden to the alley east of Fourth;

Thence southerly along the alley east of Fourth to East Norwich Avenue;

Thence westerly along Norwich to Fourth;

Thence northerly along Fourth to Alden, the place of beginning.

(Ord. 2054-92.)

### 3372.506 - Zoning map.

The boundaries of the University Area Planning Overlay, as indicated in this sub-chapter and initially contained in Ordinance 1216-87, including all subsequent amendments, shall be indicated on the Official Zoning Map.

(Ord. 2054-92; Ord. 179-03 § 10.)

### 3372.507 - Submission of calculations.

All calculations and documentation necessary to show conformance with applicable standards and guidelines of this subchapter shall be submitted to the department with the permit application. When optional standards are available, the applicant shall indicate which option is used. When applicant determines the building line by using the average setback of adjacent buildings, the setback and building and porch footprint of said buildings shall be shown on the site plan. With the exception of single-family dwellings, all calculations and documentation necessary to show conformance with applicable standards and guidelines of this subchapter shall be certified as to their accuracy by an Ohio-registered architect or engineer.

(Ord. 2054-92; Ord. 1272-01 § 1 (part); Ord. No. 0455-2010, § 85, 4-5-2010)

### 3372.508 - Method of calculation.

In all mathematical calculations, resultant fractions of less than one-half shall be rounded to the nearest integer. Fractions of one-half or more shall be rounded to the next higher integer. Except that in computing the number of dwelling units permitted, a resultant fraction shall be ignored.

(Ord. 2054-92.)

### 3372.509 - Parking variance.

A property owner who suffers an involuntary destruction of 50 percent or more of a building not original to the lot may suffer a hardship that supports a variance to the parking requirement for a replacement building. Involuntary destruction means destruction due to fire, earthquake or other natural disaster, but not due to demolition by neglect or other act or omission by the owner. In the event the hardship is established, a variance for new construction of a replacement building that allows either a floor area equal to that of the destroyed building or as determined by a maximum floor area ratio of eight tenths (0.80), whichever is less, and provides the maximum number of parking spaces the lot can accommodate, shall be deemed to meet the objectives of this subchapter.

(Ord. 2054-92.)

### 3372.510 - Exemption of parking space loss due to refuse storage requirement.

**A.** Any owner of property zoned apartment-residential and of residential use in the university area who provides a refuse storage receptacle or cubic yard container (dumpster) as required by Title 13 C.C. and thereby loses one or more existing, required parking spaces will be exempt from the necessity of replacing such lost space if on or before January 1, 1995, the owner notifies the director by affidavit of his name, the property's address, the number of legal parking spaces lost due to compliance with C.C. 1303.12, and the number of legal parking spaces remaining. Said document shall be retained in the department for future reference in a manner similar to board of zoning adjustment's variance retention files.

**B.** This exemption shall be valid only for so long as: a sufficient refuse storage receptacle or cubic yard container is

provided on site; there is no new construction of habitable floor area of 200 square feet or more; and there is no change of use in or upon said premises.

*(Ord. 377-95; Ord. 1272-01 § 1 (part); Ord. No. 0357-2009, §§ 7, 12, 4-6-2009; Ord. No. 0455-2010, § 86, 4-5-2010)*